

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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UNITED STATES OF AMERICA,

Plaintiff(s),

v.

DAVID REITER,

Defendant(s).

Case No. 2:13-CR-446 JCM (GWF)

ORDER

Presently before the court is the government's motion for testimony of structural chemist Dr. DiBerardino to be received into evidence by video teleconference. (Doc. # 48).

On October 31, 2014, the court granted the government's motion to continue sentencing. (Doc. # 41). The government sought a continuance on the grounds that "Dr. DiBerardino is in Northern Virginia, cannot travel to Las Vegas for sentencing on such short notice, and thus cannot be present for the November 3 sentencing of Mr. Reiter." (Doc. # 36).

The government now requests that the court allow Dr. DiBerardino to testify at sentencing by video teleconference. Considering the grounds for the court's prior order as well as the government's arguments in the instant motion, the court will deny the government's motion. The government's expert shall appear in person to testify at sentencing.

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the government's motion for testimony of structural chemist Dr. DiBerardino to be received into evidence by video teleconference, (doc. # 48), be, and the same hereby is, DENIED.

DATED November 24, 2014.


UNITED STATES DISTRICT JUDGE